

Marie-Ann Greenberg, MAG-1284
Marie-Ann Greenberg, Standing Trustee
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Chapter 13 Standing Trustee

IN RE:

KARAN MAHAJAN
MANIKA GUPTA

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Case No.: 11-27818 NLW

Hearing Date: 9/26/2011 at 9:00 a.m.

TRUSTEE'S OBJECTION TO DEBTOR(S) MOTION TO REINSTATE CASE

Marie-Ann Greenberg, the Chapter 13 Standing Trustee, by way of objection to the Debtor(s) Motion to Reinstate Case, respectfully objects as follows:

1. Debtors' Chapter 13 petition was filed on 6/10/11. Debtors are owners of a dry cleaning business. The 341a meeting was scheduled for 7/19/11. Said meeting was not conducted because of Debtors' failure to provide financial information prior to or at the meeting. Counsel was advised of what was missing by e-mail on 7/15/11, yet the information was not brought to the meeting. An objection to confirmation was filed on 7/20/11. An objection was also filed on behalf of Wells Fargo on 7/28/11.
2. On July 27th another e-mail was forwarded to counsel indicating that our office was not provided with the 6 month profit/loss statement [December – May] with business bank statements and that same must be provided prior to confirmation. It was not. Query, how can an accurate B22C be filed if this information is not in counsel's hands prior to the filing of such schedules? If it is, why was it not provided?

3. It is near impossible, especially on a business case to conduct a 341a without the proper financial information. It is certainly impossible to confirm such a case. Moreover, the unsecured debt in this case exceeds the limitations set forth in Sec. 109(e) and thus Debtors are not eligible to be in Chapter 13 regardless.

For the reasons stated within, and any and all the court deems fit to adopt, the Motion to Reinstate Case must be denied.

Dated: August 18, 2011

By: /S/ Marie-Ann Greenberg
Marie-Ann Greenberg, Esq.
Chapter 13 Standing Trustee